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**FACSIMILE TRANSMITTAL**

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**TO:**

Name: Mail Stop AMENDMENT  
Group Art Unit 3731/Examiner Melanie Ruano Tyson

Firm: U.S. Patent &amp; Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/098,683  
Gary Karlin Michelson  
Filed: March 15, 2002  
SPINAL IMPLANT CONTAINING MULTIPLE  
BONE GROWTH PROMOTING MATERIALS  
(as amended)  
Attorney Docket No. 101.0042-05000  
Customer No. 22882  
Confirmation No.: 7210

**FROM:**

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 25

Date: December 19, 2007

Confirmation Copy to Follow: NO

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**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; total amount of \$180.00 to cover the IDS fee is to be charged to Deposit Account No. 50-3726), Reply to Office Action with Attachments A and B, and Information Disclosure Statement Under 37 C.F.R. § 1.97(c) with Form PTO/SB/08 are being facsimile transmitted to the U.S. Patent and Trademark Office on December 19, 2007.

  
Sandra L. Blackmon

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FORM PTO-1083

DEC 19 2007

Attorney Docket No.: 101.0042-05000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/098,683

Filed: March 15, 2002

For: SPINAL IMPLANT CONTAINING  
MULTIPLE BONE GROWTH  
PROMOTING MATERIALS (as  
amended)

Confirmation No.: 7210

Art Unit: 3731

Examiner: Melanie Ruano Tyson

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to the Office Action of September 28, 2007 in the above-identified application.

- No additional fee is required.
- Applicant hereby requests a \*\*\*-month extension of time to respond to the above Office Action.
- An Information Disclosure Statement and Form PTO/SB/08 are enclosed.
- The total amount of \$180.00 to cover the IDS fee is to be charged to Deposit Account No. 50-3726.
- The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.
- Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: December 19, 2007

By: 

Thomas H. Martin  
Registration No. 34,383

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Transmittal of Reply.DOC

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Attorney Docket No.: 101.0042-05000  
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